

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 529, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
- 3 "SECTION 1. IC 4-21.5-2-6 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. (a) This article does
5 not apply to the formulation, issuance, or administrative review (but
6 does, except as provided in subsection (b), apply to the judicial review
7 and civil enforcement) of any of the following:
- 8 (1) Except as provided in IC 12-17.2-4-18.7 and
9 IC 12-17.2-5-18.7, determinations by the division of family ~~and~~
10 ~~children.~~ **resources and the department of child services.**
- 11 (2) Determinations by the alcohol and tobacco commission.
- 12 (3) Determinations by the office of Medicaid policy and planning
13 concerning recipients and applicants of Medicaid. However, this
14 article does apply to determinations by the office of Medicaid
15 policy and planning concerning providers.
- 16 (4) A final determination of the Indiana board of tax review.
- 17 (b) IC 4-21.5-5-12 and IC 4-21.5-5-14 do not apply to judicial
18 review of a final determination of the Indiana board of tax review.
- 19 SECTION 2. IC 5-22-4-9 IS ADDED TO THE INDIANA CODE
20 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2005]: **Sec. 9. The department of child services is the purchasing agency for services procured by the department under IC 31-33-1.5-10.**

SECTION 3. IC 6-1.1-17-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The proper officers of a political subdivision shall formulate its estimated budget and its proposed tax rate and tax levy on the form prescribed by the department of local government finance and approved by the state board of accounts. The political subdivision shall give notice by publication to taxpayers of:

- (1) the estimated budget;
- (2) the estimated maximum permissible levy;
- (3) the current and proposed tax levies of each fund; and
- (4) the amounts of excessive levy appeals to be requested.

In the notice, the political subdivision shall also state the time and place at which a public hearing will be held on these items. The notice shall be published twice in accordance with IC 5-3-1 with the first publication at least ten (10) days before the date fixed for the public hearing.

(b) The board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5-2 (before its repeal) may conduct the public hearing required under subsection (a):

- (1) in any county of the solid waste management district; and
- (2) in accordance with the annual notice of meetings published under IC 13-21-5-2.

(c) The trustee of each township in the county shall estimate the amount necessary to meet the cost of ~~poor relief~~ **township assistance** in the township for the ensuing calendar year. The township board shall adopt with the township budget a tax rate sufficient to meet the estimated cost of ~~poor relief~~ **township assistance**. The taxes collected as a result of the tax rate adopted under this subsection are credited to the township ~~poor relief~~ **assistance** fund.

(d) A county shall adopt with the county budget, a tax rate sufficient to raise the levy certified by the department of child services for the following:

- (1) The family and children's fund.**
- (2) The children's psychiatric residential treatment services fund.**

SECTION 4. IC 6-1.1-17-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. The county auditor shall initiate an appeal to the department of local government finance if the county board of tax adjustment reduces:

(1) a ~~poor relief township assistance~~ tax rate below the rate necessary to meet the estimated cost of ~~poor relief township assistance~~;

(2) a family and children's fund tax rate below the rate necessary to collect the levy certified by the department of child services; or

(3) a children's psychiatric residential treatment services fund tax rate below the rate necessary to collect the levy certified by the department of child services.

SECTION 5. IC 6-3.5-6-18.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18.5. (a) This section applies to a county containing a consolidated city.

(b) Notwithstanding section 18(e) of this chapter, the distributive shares that each civil taxing unit in a county containing a consolidated city is entitled to receive during a month equals the following:

(1) For the calendar year beginning January 1, 1995, calculate the total amount of revenues that are to be distributed as distributive shares during that month multiplied by the following factor:

Center Township	.0251
Decatur Township	.00217
Franklin Township	.0023
Lawrence Township	.01177
Perry Township	.01130
Pike Township	.01865
Warren Township	.01359
Washington Township	.01346
Wayne Township	.01307
Lawrence-City	.00858
Beech Grove	.00845
Southport	.00025
Speedway	.00722
Indianapolis/Marion County	.86409

(2) Notwithstanding subdivision (1), for the calendar year beginning January 1, 1995, the distributive shares for each civil

taxing unit in a county containing a consolidated city shall be not less than the following:

Center Township	\$1,898,145
Decatur Township	\$164,103
Franklin Township	\$173,934
Lawrence Township	\$890,086
Perry Township	\$854,544
Pike Township	\$1,410,375
Warren Township	\$1,027,721
Washington Township	\$1,017,890
Wayne Township	\$988,397
Lawrence-City	\$648,848
Beech Grove	\$639,017
Southport	\$18,906
Speedway	\$546,000

(3) For each year after 1995, calculate the total amount of revenues that are to be distributed as distributive shares during that month as follows:

STEP ONE: Determine the total amount of revenues that were distributed as distributive shares during that month in calendar year 1995.

STEP TWO: Determine the total amount of revenue that the department has certified as distributive shares for that month under section 17 of this chapter for the calendar year.

STEP THREE: Subtract the STEP ONE result from the STEP TWO result.

STEP FOUR: If the STEP THREE result is less than or equal to zero (0), multiply the STEP TWO result by the ratio established under subdivision (1).

STEP FIVE: Determine the ratio of:

(A) the maximum permissible property tax levy under IC 6-1.1-18.5, ~~and IC 6-1.1-18.6~~ **IC 12-19-7, and IC 12-19-7.5** for each civil taxing unit for the calendar year in which the month falls, plus, for a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund; divided by

(B) the sum of the maximum permissible property tax levies

under IC 6-1.1-18.5, ~~and IC 6-1.1-18.6~~ **IC 12-19-7, and IC 12-19-7.5** for all civil taxing units of the county during the calendar year in which the month falls, and an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund.

STEP SIX: If the STEP THREE result is greater than zero (0), the STEP ONE amount shall be distributed by multiplying the STEP ONE amount by the ratio established under subdivision (1).

STEP SEVEN: For each taxing unit determine the STEP FIVE ratio multiplied by the STEP TWO amount.

STEP EIGHT: For each civil taxing unit determine the difference between the STEP SEVEN amount minus the product of the STEP ONE amount multiplied by the ratio established under subdivision (1). The STEP THREE excess shall be distributed as provided in STEP NINE only to the civil taxing units that have a STEP EIGHT difference greater than or equal to zero (0).

STEP NINE: For the civil taxing units qualifying for a distribution under STEP EIGHT, each civil taxing unit's share equals the STEP THREE excess multiplied by the ratio of:

(A) the maximum permissible property tax levy under IC 6-1.1-18.5, ~~and IC 6-1.1-18.6~~ **IC 12-19-7, and IC 12-19-7.5** for the qualifying civil taxing unit during the calendar year in which the month falls, plus, for a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund; divided by

(B) the sum of the maximum permissible property tax levies under IC 6-1.1-18.5, ~~and IC 6-1.1-18.6~~ **IC 12-19-7, and IC 12-19-7.5** for all qualifying civil taxing units of the county during the calendar year in which the month falls, and an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund.

SECTION 6. IC 12-7-2-57.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 57.5. (a) "Department",

for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

(b) "Department", for purposes of IC 12-19, refers to the department of child services.

~~(b)~~ **(c)** "Department", for purposes of IC 12-20, refers to the department of local government finance established by IC 6-1.1-30-1.1.

SECTION 7. IC 12-7-2-64 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 64. "Director" refers to the following:

(1) With respect to a particular division, the director of the division.

(2) With respect to a particular state institution, the director who has administrative control of and responsibility for the state institution.

(3) For purposes of IC 12-10-15, the term refers to the director of the division of ~~disabilities~~, **disability**, aging, and rehabilitative services.

(4) For purposes of IC 12-19-5, the term refers to the director of the department of child services established by IC 31-33-1.5.

~~(4)~~ **(5)** For purposes of IC 12-25, the term refers to the director of the division of mental health and addiction.

~~(5)~~ **(6)** For purposes of IC 12-26, the term:

(A) refers to the director who has administrative control of and responsibility for the appropriate state institution; and

(B) includes the director's designee.

~~(6)~~ **(7)** If subdivisions (1) through ~~(5)~~ **(6)** do not apply, the term refers to the director of any of the divisions.

SECTION 8. IC 12-7-2-69 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 69. (a) "Division", except as provided in subsections (b) and (c), refers to any of the following:

(1) The division of disability, aging, and rehabilitative services established by IC 12-9-1-1.

(2) The division of family ~~and children~~ **resources** established by IC 12-13-1-1.

(3) The division of mental health and addiction established by IC 12-21-1-1.

- 1 (b) The term refers to the following:
- 2 (1) For purposes of the following statutes, the division of
- 3 disability, aging, and rehabilitative services established by
- 4 IC 12-9-1-1:
- 5 (A) IC 12-9.
- 6 (B) IC 12-10.
- 7 (C) IC 12-11.
- 8 (D) IC 12-12.
- 9 (E) IC 12-12.5.
- 10 (2) For purposes of the following statutes, the division of family
- 11 **and children resources** established by IC 12-13-1-1:
- 12 (A) IC 12-13.
- 13 (B) IC 12-14.
- 14 (C) IC 12-15.
- 15 (D) IC 12-16.
- 16 ~~(E) IC 12-17.~~
- 17 ~~(F)~~ (E) IC 12-17.2.
- 18 ~~(G) IC 12-17.4.~~
- 19 ~~(H)~~ (F) IC 12-18.
- 20 ~~(I)~~ (G) IC 12-19.
- 21 ~~(J)~~ (H) IC 12-20.
- 22 (3) For purposes of the following statutes, the division of mental
- 23 health and addiction established by IC 12-21-1-1:
- 24 (A) IC 12-21.
- 25 (B) IC 12-22.
- 26 (C) IC 12-23.
- 27 (D) IC 12-25.
- 28 (c) With respect to a particular state institution, the term refers to the
- 29 division whose director has administrative control of and responsibility
- 30 for the state institution.
- 31 (d) For purposes of IC 12-24, IC 12-26, and IC 12-27, the term
- 32 refers to the division whose director has administrative control of and
- 33 responsibility for the appropriate state institution."
- 34 Page 1, between lines 12 and 13, begin a new paragraph and insert:
- 35 "SECTION 13. IC 12-13-1-1 IS AMENDED TO READ AS
- 36 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The division of
- 37 family **and children resources** is established.
- 38 SECTION 14. IC 12-13-6-1 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The following
2 bureaus are established within the division:

- 3 (1) A bureau of ~~family independence~~ **child development**.
- 4 (2) A ~~family protection~~ bureau **of economic independence**.
- 5 (3) A ~~youth development~~ bureau that includes a children's
- 6 ~~disabilities services unit~~.
- 7 (4) A ~~bureau of child care services~~.
- 8 (5) A ~~bureau of residential services~~.
- 9 (6) A ~~bureau of family resources~~.
- 10 (7) A ~~food stamp bureau~~.
- 11 (8) A ~~child support bureau~~".

12 Page 2, line 4, strike "division" and insert "**department of child**
13 **services**".

14 Page 2, line 6, reset in roman "child protection".

15 Page 2, line 7, reset in roman "caseworkers,".

16 Page 2, line 8, strike "and children" and insert "**resources or the**".

17 Page 2, line 8, reset in roman "department of".

18 Page 2, line 9, after "social" insert "**child**".

19 Page 2, line 9, reset in roman "services".

20 Page 2, delete lines 12 through 28.

21 Page 4, between lines 6 and 7, begin a new paragraph and insert:

22 "SECTION 19. IC 12-19-1-10 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) Subject to the
24 rules adopted by the director of the division, a county office shall
25 administer the following:

- 26 (1) Assistance to dependent children in the homes of the
- 27 dependent children.
- 28 (2) Assistance and services to elderly persons.
- 29 (3) Assistance to persons with disabilities.
- 30 (4) Care and treatment of the following persons:
- 31 ~~(A) Children in need of services~~.
- 32 ~~(B)~~ (A) Dependent children.
- 33 ~~(C)~~ (B) Children with disabilities.
- 34 (5) Licensing of foster family homes for the placement of children
- 35 in need of services.
- 36 (6) Supervision of the care and treatment of children in need of
- 37 services in foster family homes.
- 38 (7) Licensing of foster family homes for the placement of

1 ~~delinquent children:~~

2 ~~(8) Supervision of the care and treatment of delinquent children in~~
3 ~~foster family homes:~~

4 ~~(9)~~ **(5)** Provision of family preservation services.

5 ~~(10)~~ **(6)** Any other welfare activities that are delegated to the
6 county office by the division under this chapter, including services
7 concerning assistance to the blind.

8 SECTION 20. IC 12-19-5-1 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) In addition to the
10 other method of welfare financing provided by this article, the ~~county~~
11 ~~director department~~ may ~~appeal for the right to require a county to~~
12 borrow money **under this chapter** on a short term basis to fund:

13 (1) child services under IC 12-19-7-1;

14 (2) children's psychiatric residential treatment services under
15 IC 12-19-7.5; or

16 (3) other welfare services in the county **payable from the family**
17 **and children's fund or the children's psychiatric residential**
18 **treatment services fund;**

19 if the ~~county director department~~ determines that the family and
20 children's fund or the children's psychiatric residential treatment
21 services fund will be exhausted before the end of a fiscal year.

22 (b) ~~In an appeal under this section, In the county director hearing~~
23 **required under section 2 of this chapter, the department** must
24 **present facts that** show the following:

25 (1) That the amount of money in the family and children's fund or
26 the children's psychiatric residential treatment services fund will
27 be insufficient to fund the appropriate services within the county
28 under this article.

29 (2) The amount of money that the ~~county director department~~
30 estimates will be needed to fund that deficit.

31 ~~(c) The county director shall immediately transmit an appeal under~~
32 ~~this section to the director:~~

33 SECTION 21. IC 12-19-5-2 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. ~~Upon receiving an~~
35 ~~appeal under section 1 of this chapter,~~ The ~~division~~ **department** shall
36 as soon as possible do the following:

37 (1) Hold a public hearing to decide if the county should ~~be~~
38 ~~allowed to~~ borrow money.

(2) ~~Adopt~~ **Issue** a resolution at that meeting **final determination** supporting or rejecting the proposal to borrow money.

(3) ~~Transmit the resolution to the county director.~~

SECTION 22. IC 12-19-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) ~~Upon receiving a resolution under section 2 of this chapter, If the county director shall submit the appeal and the division's resolution department makes a final determination after a hearing to borrow money, the department shall submit a certified copy of the final determination to the county fiscal body and the county auditor. Upon receiving the appeal and the resolution, department's certified final determination, the:~~

(1) county fiscal body shall ~~as soon as possible determine whether or not to loan the requested amount to the county office. vote to allow a loan to be made; and~~

(b) ~~If the county fiscal body votes to allow a loan to be made, The~~

(2) county auditor on behalf of the county office shall borrow the money from a financial institution.

(c) ~~If the county fiscal body determines that the county office should not be allowed to borrow money; the county fiscal body shall inform the county director of the county fiscal body's decision.~~

SECTION 23. IC 12-19-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. The ~~division~~ **department** or a county fiscal body may not do the following:

(1) Recommend or approve a request to borrow money made under this chapter unless the body determines that the family and children's fund or the children's psychiatric residential treatment services fund will be exhausted before the particular fund can fund all county obligations incurred under this article.

(2) Recommend or approve a loan that will exceed the amount of the estimated deficit.

SECTION 24. IC 12-19-5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) ~~If a county director: money was borrowed under IC 12-1-11.5 (before its repeal) or the department:~~

(1) appeals before August 1 of a year for permission to borrow money under this chapter;

(2) ~~receives permission from the county fiscal body to borrow~~

1 ~~money~~ **conducts a hearing and issues a resolution to borrow**

2 **money** before November 1 of the year; and

3 (3) borrows money under IC 12-1-11.5 (before its repeal) or this

4 chapter;

5 the county auditor shall levy a property tax beginning in the following
6 year and continuing for the term of the loan.

7 (b) The property tax levied under subsection (a) must be in an
8 amount each year that will be sufficient to pay the principal and interest
9 due on the loan for the year.

10 (c) The levy under this section shall be retained by the county
11 treasurer and applied by the county auditor to retire the debt.

12 SECTION 25. IC 12-19-5-11 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) If ~~a county~~
14 ~~director:~~ **money was borrowed under IC 12-1-11.5 (before its**
15 **repeal) or the department:**

16 (1) appeals after August 1 of a year for permission to borrow
17 money;

18 (2) ~~receives permission from the county fiscal body~~ **conducts a**
19 **hearing and issues a resolution** to borrow money; and

20 (3) borrows money in the year of the appeal under IC 12-1-11.5
21 (before its repeal) or this chapter;

22 the county auditor shall levy a property tax beginning in the second
23 year following the year of the appeal and continuing for the term of the
24 loan.

25 (b) The property tax levied under subsection (a) must be in an
26 amount each year that will be sufficient to pay the principal and interest
27 due on the loan for the year.

28 (c) The levy under this section shall be retained by the county
29 treasurer and applied by the county auditor to retire the debt.

30 SECTION 26. IC 12-19-6-5 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) As used in this
32 section, "indirect cost" means a cost that is not directly traceable to a
33 particular activity undertaken in the administration of the following:

34 (1) The federal Food Stamp program (7 U.S.C. 2011 et seq.).

35 (2) The federal Aid to Families with Dependent Children program
36 (42 U.S.C. 601 et seq.).

37 (3) The federal Child Support Enforcement Act (42 U.S.C. 651 et
38 seq.).

1 (b) The division **and the department** shall pay to each county the
 2 money paid to the state as reimbursement for the indirect costs incurred
 3 by the county and the county office.

4 SECTION 27. IC 12-19-7-1.5 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1.5. (a) The division of
 6 family and children may transfer any of the following to a county
 7 family and children's fund:

8 (1) Money transferred under P.L.273-1999, SECTION 126, to the
 9 division from a county welfare fund on or after July 1, 2000,
 10 without regard to the county from which the money was
 11 transferred.

12 (2) Money appropriated to the division **or department** for any of
 13 the following:

14 (A) Assistance awarded by a county to a destitute child under
 15 IC 12-17-1.

16 (B) Child welfare services as described in IC 12-17-3.

17 (C) Any other services for which the expenses were paid from
 18 a county welfare fund before January 1, 2000.

19 (b) Money transferred under subsection (a)(1) or (a)(2) must be used
 20 for purposes described in subsection (a)(2).

21 SECTION 28. IC 12-19-7-3 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) A family and
 23 children's fund is established in each county. The fund shall be raised
 24 by a separate tax levy (the county family and children property tax
 25 levy) that:

26 (1) is in addition to all other tax levies authorized; and

27 (2) shall be levied annually by the county fiscal body on all
 28 taxable property in the county in the amount **that the department**
 29 **certifies is** necessary to raise the part of the fund that the county
 30 must raise to pay the items, awards, claims, allowances,
 31 assistance, and other expenses set forth in the annual budget under
 32 section 6 of this chapter.

33 (b) The tax imposed under this section shall be collected as other
 34 state and county ad valorem taxes are collected.

35 (c) The following shall be paid into the county treasury and
 36 constitute the family and children's fund:

37 (1) All receipts from the tax imposed under this section.

38 (2) All grants-in-aid, whether received from the federal

government or state government.

(3) Any other money required by law to be placed in the fund.

(d) The fund is available for the purpose of paying expenses and obligations set forth in the annual budget that is submitted and approved.

(e) Money in the fund at the end of a budget year does not revert to the county general fund.

SECTION 29. IC 12-19-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) For taxes first due and payable in each year after ~~2003~~, **2005**, each county shall impose a county family and children property tax levy equal to the product of:

~~(1) the county family and children property tax levy imposed for taxes first due and payable in the preceding year; as that levy was determined by the department of local government finance in fixing the civil taxing unit's budget; levy, and rate for that preceding calendar year under IC 6-1.1-17 and after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to the levy for the calendar year; multiplied by~~

~~(2) the greater of:~~

~~(A) the county's assessed value growth quotient for the ensuing calendar year; as determined under IC 6-1.1-18.5-2; or~~

~~(B) one (1).~~

~~When a year in which a statewide general reassessment of real property first becomes effective is the year preceding the year that the property tax levy under this subsection will be first due and payable; the amount to be used in subdivision (2) equals the average of the amounts used in determining the two (2) most recent adjustments in the county's levy under this section. If the amount levied in a particular year exceeds the amount necessary to cover the costs payable from the fund; the levy in the following year shall be reduced by the amount of surplus money; certified by the department for the ensuing year.~~

(b) The department of local government finance shall review each county's property tax levy under this section and shall enforce the requirements of this section with respect to that levy.

SECTION 30. IC 12-19-7-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) The ~~county~~

1 ~~director, department~~, upon the advice of the judges of the courts with
 2 juvenile jurisdiction in the county **and after consulting with the**
 3 **division of family resources**, shall annually compile and adopt a child
 4 services budget, which must be in a form prescribed by the state board
 5 of accounts. ~~The budget may not exceed the levy limitation set forth in~~
 6 ~~IC 6-1.1-18.6.~~

7 (b) The budget must contain an estimate of the amount of money
 8 that will be needed by the ~~county office department~~ during the ~~fiscal~~
 9 **ensuing** year to defray the expenses and obligations incurred by the
 10 ~~county office department~~ in the payment of services for children
 11 adjudicated to be children in need of services or delinquent children and
 12 other related services, but not including the payment of AFDC.

13 SECTION 31. IC 12-19-7-7 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. ~~(a)~~ The ~~county~~
 15 **director department** shall, with the assistance of the judges of courts
 16 with juvenile jurisdiction in the county, **after consulting with the**
 17 **division of family resources**, and at the same time the budget is
 18 compiled and adopted, ~~recommend to the division shall establish~~ the
 19 tax levy that the **director department** and judges determine will be
 20 required to raise the amount of revenue necessary to pay the expenses
 21 and obligations of the ~~county office department~~ set forth in the budget
 22 under section 6 of this chapter ~~However, the tax levy may not exceed~~
 23 ~~the maximum permissible levy set forth in IC 6-1.1-18.6 and the budget~~
 24 ~~may not exceed the levy limitation set forth in IC 6-1.1-18.~~

25 ~~(b) After the county budget has been compiled, the county director~~
 26 ~~shall submit a copy of the budget and the tax levy recommended by the~~
 27 ~~county director and the judges of courts with juvenile jurisdiction in the~~
 28 ~~county to the division. The division shall examine the budget and the~~
 29 ~~tax levy for the purpose of determining whether, in the judgment of the~~
 30 ~~division:~~

31 (1) the appropriations requested in the budget will be adequate to
 32 defray the expenses and obligations incurred by the county office
 33 in the payment of child services for the next fiscal year; and

34 (2) the tax levy recommended will yield the amount of the
 35 appropriation set forth in the budget. **after considering the**
 36 **estimated cash balance on December 31 of the year**
 37 **immediately preceding the ensuing year.**

38 SECTION 32. IC 12-19-7-9 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. The budget finally
 2 approved and the tax levy recommended by the ~~division~~ **department**
 3 shall be:

4 (1) certified to the county ~~office~~; **auditor**; and

5 (2) filed for consideration by the county fiscal body.

6 SECTION 33. IC 12-19-7-11 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. In September of
 8 each year, at the time provided by law, the county fiscal body shall: ~~do~~
 9 ~~the following~~:

10 (1) make the appropriations out of the family and children's fund;
 11 ~~that are~~:

12 (A) ~~based on the budget as submitted~~; and

13 (B) ~~necessary to maintain the child services of the county for~~
 14 ~~the next fiscal year, subject to the maximum levy set forth in~~
 15 ~~IC 6-1.1-18.6~~; and

16 (2) levy a tax in an amount; ~~necessary to produce the appropriated~~
 17 ~~money~~:

18 **certified under section 9 of this chapter.**

19 SECTION 34. IC 12-19-7-11.1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11.1. (a) The judges of
 21 the courts with juvenile jurisdiction in the county and the ~~county~~
 22 **director department** shall meet with the county fiscal body at a public
 23 meeting:

24 (1) in April; and

25 (2) after June 30 and before October 1;

26 in each year.

27 (b) At a meeting required in subsection (a), the ~~county director~~
 28 **department** shall present to the county fiscal body and the judges the
 29 following reports:

30 (1) Expenditures made:

31 (A) during the immediately preceding calendar quarter from
 32 the family and children's fund in comparison to one-fourth
 33 (1/4) of the budget and appropriations approved by the county
 34 fiscal body for the calendar year; and

35 (B) from the fund in the corresponding calendar quarter of
 36 each of the two (2) preceding calendar years.

37 (2) Obligations incurred through the end of the immediately
 38 preceding calendar quarter that will be payable from the family

and children's fund during the remainder of the calendar year or in any subsequent calendar year.

(3) The number of children, by category, for whom the family and children's fund was required to provide funds for services during the immediately preceding calendar quarter, in comparison to the corresponding calendar quarter of each of the two (2) preceding calendar years.

(4) The number and type of out-of-home placements, by category, for which the family and children's fund was required to provide funds for foster home care or institutional placement, and the average daily, weekly, or monthly cost of out of home placement care and services by category, during the immediately preceding calendar quarter, in comparison to the corresponding calendar quarter of each of the two (2) preceding calendar years.

(5) The number of children, by category, for whom the family and children's fund was required to provide funds for services for children residing with the child's parent, guardian, or custodian (other than foster home or institutional placement), and the average monthly cost of those services, during the immediately preceding calendar quarter, in comparison to the corresponding calendar quarter for each of the two (2) preceding calendar years.

(c) In preparing the reports described in subsection (b), the ~~county director~~ **department** may use the best information reasonably available from the records of the ~~county office~~ **department** and the county family and children's fund. ~~for calendar years before 1998.~~

(d) At each meeting described in subsection (a), the county fiscal body, judges, and ~~county director~~ **department** may:

(1) discuss and suggest procedures to provide child welfare services in the most effective and cost-efficient manner; and

(2) consider actions needed, including revision of budgeting procedures, to eliminate or minimize any anticipated need for short term borrowing for the family and children's fund under any provisions of this chapter or IC 12-19-5.

SECTION 35. IC 12-19-7-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 15. (a) If at any time the ~~county director~~ **department** determines that the family and children's fund is exhausted or will be exhausted before the close of a fiscal year, the ~~county director~~ **department** shall prepare an estimate

and statement showing the amount of money, in addition to the money already made available, that will be necessary to defray the expenses of the ~~county office~~ **department** and pay the obligations of the ~~county office, department,~~ excluding administrative expenses and facilities, supplies, and equipment expenses for the ~~county office, department,~~ in the administration of the ~~county office's~~ **department's** activities for the unexpired part of the fiscal year.

(b) The ~~county director~~ **department** shall do the following:

(1) Certify the estimate and statement to the county executive.

(2) File the estimate and statement with the county auditor.

SECTION 36. IC 12-19-7-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. (a) The county executive shall consider and act upon an estimate and statement under section 15 of this chapter at:

(1) the county executive's regular session immediately following the filing of the estimate and statement; or

(2) a special session that is:

(A) called for the purpose of considering and acting upon the estimate and statement; and

(B) called before the executive's regular session described in subdivision (1).

(b) The county executive shall, for and on behalf of the county, borrow sufficient money to carry out the purposes described in section 15 of this chapter if after consideration of the estimate and statement the county executive finds the following:

(1) That the ~~county director~~ **department** has not ~~appealed~~ **certified a final determination** to borrow money under IC 12-19-5. ~~or that the appeal has been denied.~~

(2) That the amount of money required, in addition to any money already available, to defray the expenses and pay the obligations of the ~~county office~~ **department** in the administration of the county's child services for the unexpired part of the fiscal year, is greater than the amount of money that may be advanced from the general fund of the county.

SECTION 37. IC 12-19-7-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17. (a) Before making a loan under section 16 of this chapter, the county executive shall record a finding that the amount of money that will be required is

greater than the amount of money that may be advanced from the general fund of the county. The finding must:

- (1) set forth the estimated requirements of the ~~county office;~~
department; and
- (2) direct the county auditor to call the county fiscal body into special session for the purpose of considering the making of the loan.

(b) In the notice of the special session of the county fiscal body, the auditor shall include a statement of the estimated amount of the proposed loan.

SECTION 38. IC 12-19-7-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 19. An ordinance adopted by the county fiscal body authorizing a loan under this chapter must do the following:

- (1) Authorize the issuance of the bonds of the county to evidence the loan.
- (2) Fix the following:
 - (A) The loan's maximum amount, which may be less than the amount shown by the estimate of the ~~county director;~~
department.
 - (B) The number of semiannual series in which the bonds are payable, which may not exceed twenty (20).

SECTION 39. IC 12-19-7.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. As used in this chapter, "private psychiatric residential treatment facility" means a privately owned and operated facility that:

- (1) provides inpatient treatment to individuals less than twenty-one (21) years of age for mental health conditions;
- (2) is licensed or certified by:
 - (A) the ~~division of family and children;~~ **department;** or
 - (B) the division of mental health and addiction;
- to provide children's psychiatric residential treatment services; and
- (3) is enrolled in the state Medicaid program as a provider eligible to provide children's psychiatric residential treatment services.

SECTION 40. IC 12-19-7.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) A children's psychiatric residential treatment services fund is established in each county. The fund shall be raised by a separate tax levy (the county

children's psychiatric residential treatment services property tax levy)
that:

- (1) is in addition to all other tax levies authorized; and
- (2) shall be levied annually by the county fiscal body on all taxable property in the county in the amount **that the department certifies is** necessary to raise the part of the fund that the county must raise to pay the items, awards, claims, allowances, assistance, and other expenses set forth in the annual budget under section 8 of this chapter.

(b) The tax imposed under this section shall be collected as other state and county ad valorem taxes are collected.

(c) The following shall be paid into the county treasury and constitute the children's psychiatric residential treatment services fund:

- (1) All receipts from the tax imposed under this section.
- (2) All grants-in-aid, whether received from the federal government or state government.
- (3) Any other money required by law to be placed in the fund.

(d) The fund is available for the purpose of paying expenses and obligations set forth in the annual budget that is submitted and approved.

(e) Money in the fund at the end of a budget year does not revert to the county general fund.

SECTION 41. IC 12-19-7.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) ~~For taxes first due and payable in 2004, each county must impose a county children's psychiatric residential services property tax levy equal to the amount determined using the following formula:~~

~~STEP ONE: Determine the sum of the amounts that were paid by the county minus the amounts reimbursed by the state (including reimbursements made with federal money); as determined by the state board of accounts in 2000, 2001, and 2002 for payments to facilities licensed under 470 IAC 3-13 for services that were made on behalf of the children and for which payment was made from the county family and children fund; or five percent (5%) of the average family and children budget, as determined by the department of local government finance in 2000, 2001, and 2002; whichever is greater.~~

~~STEP TWO: Subtract from the amount determined in STEP ONE~~

the sum of the miscellaneous taxes that were allocated to the county family and children fund and used to pay the costs for providing services in facilities licensed under 470 IAC 3-13 in 2000, 2001, and 2002.

STEP THREE: Divide the amount determined in STEP TWO by three (3).

STEP FOUR: Calculate the STEP ONE amount and the STEP TWO amount for 2002 expenses only.

STEP FIVE: Adjust the amounts determined in STEP THREE and STEP FOUR by the amount determined by the department of local government finance under subsection (c).

STEP SIX: Determine whether the amount calculated in STEP THREE, as adjusted in STEP FIVE, or the amount calculated in STEP FOUR, as adjusted in STEP FIVE, is greater. Multiply the greater amount by the assessed value growth quotient determined under IC 6-1.1-18.5-2 for the county for property taxes first due and payable in 2003.

STEP SEVEN: Multiply the amount determined in STEP SIX by the county's assessed value growth quotient for property taxes first due and payable in 2004, as determined under IC 6-1.1-18.5-2.

(b) For taxes first due and payable in each year after 2004, 2005, each county shall impose a county children's psychiatric residential treatment services property tax levy equal to the product of:

(1) the county children's psychiatric residential treatment services property tax levy imposed for taxes first due and payable in the preceding year, as that levy was determined by the department of local government finance in fixing the civil taxing unit's budget, levy, and rate for that preceding calendar year under IC 6-1.1-17 and after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to the levy for the calendar year; multiplied by

(2) the greater of:

(A) the county's assessed value growth quotient for the ensuing calendar year, as determined under IC 6-1.1-18.5-2; or

(B) one (1).

When a year in which a statewide general reassessment of real property first becomes effective is the year preceding the year that the property tax levy under this subsection will be first due and payable, the amount

to be used in subdivision (2) equals the average of the amounts used in determining the two (2) most recent adjustments in the county's levy under this section. If the amount levied in a particular year exceeds the amount necessary to cover the costs payable from the fund, the levy in the following year shall be reduced by the amount of surplus money.

(c) For taxes first due and payable in 2004, the department of local government finance shall adjust the levy for each county to reflect the county's actual expenses incurred in providing services to children in facilities licensed under 470 IAC 3-13 in 2000, 2001, and 2002. In making this adjustment, the department of local government finance may consider all relevant information, including the county's use of bond and loan proceeds to pay these expenses, **certified by the department for the ensuing year.**

~~(d)~~ (b) The department of local government finance shall review each county's property tax levy under this section and shall enforce the requirements of this section with respect to that levy.

SECTION 42. IC 12-19-7.5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) For purposes of this section, "expenses and obligations incurred by the ~~county office~~ **department**" include all anticipated costs of children's residential psychiatric services that are equal to the state share of the cost of those services that are reimbursable under the state Medicaid plan.

(b) The ~~county director, department,~~ upon the advice of the judges of the courts with juvenile jurisdiction in the county **and after consulting with the division of family resources,** shall annually compile and adopt a children's psychiatric residential treatment services budget, which must be in a form prescribed by the state board of accounts. ~~The budget may not exceed the levy limitation set forth in IC 6-1.1-18.6.~~

(c) The budget must contain an estimate of the amount of money that will be needed by the ~~county office~~ **department** during the fiscal year to defray the expenses and obligations incurred by the ~~county office~~ **department** in the payment of children's psychiatric residential treatment services for children who are residents of the county.

SECTION 43. IC 12-19-7.5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. ~~(a)~~ The ~~county director~~ **department** shall, with the assistance of the judges of courts with juvenile jurisdiction in the county, **after consulting with the**

1 **division of family resources**, and at the same time the budget is
 2 compiled and adopted, ~~recommend to the division~~ **shall establish** the
 3 tax levy that the director and judges determine will be required to raise
 4 the amount of revenue necessary to pay the expenses and obligations
 5 of the county office set forth in the budget under section 8 of this
 6 chapter. ~~However, the tax levy may not exceed the maximum~~
 7 ~~permissible levy set forth in IC 6-1.1-18.6; and the budget may not~~
 8 ~~exceed the levy limitation set forth in IC 6-1.1-18.~~

9 (b) ~~After the county budget has been compiled; the county director~~
 10 ~~shall submit a copy of the budget and the tax levy recommended by the~~
 11 ~~county director and the judges of courts with juvenile jurisdiction in the~~
 12 ~~county to the division. The division shall examine the budget and the~~
 13 ~~tax levy for the purpose of determining whether; in the judgment of the~~
 14 ~~division:~~

15 (1) ~~the appropriations requested in the budget will be adequate to~~
 16 ~~defray the expenses and obligations incurred by the county office~~
 17 ~~in the payment of children's psychiatric residential treatment~~
 18 ~~services for the next fiscal year; and~~

19 (2) ~~the tax levy recommended will yield the amount of the~~
 20 ~~appropriation set forth in the budget.~~

21 SECTION 44. IC 12-19-7.5-11 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. The budget **and tax**
 23 **levy** finally approved ~~and the tax levy recommended by the division~~
 24 **department** shall be:

25 (1) ~~certified to the county office;~~ **auditor;** and

26 (2) ~~filed for consideration by~~ **with** the county fiscal body.

27 SECTION 45. IC 12-19-7.5-14 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. (a) If at any time
 29 the ~~county director~~ **department** determines that the children's
 30 psychiatric residential treatment services fund is exhausted or will be
 31 exhausted before the close of a fiscal year, the ~~county director~~
 32 **department** shall prepare an estimate and statement showing the
 33 amount of money, in addition to the money already made available, that
 34 will be necessary to defray the expenses of the county office and pay
 35 the obligations of the ~~county office;~~ **department**, excluding
 36 administrative expenses and facilities, supplies, and equipment
 37 expenses for the ~~county office;~~ **department**, in the administration of the
 38 ~~county office's~~ **department's** activities for the unexpired part of the

1 fiscal year.

2 (b) The ~~county director~~ **department** shall do the following:

3 (1) Certify the estimate and statement to the county executive.

4 (2) File the estimate and statement with the county auditor.

5 SECTION 46. IC 12-19-7.5-15 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 15. (a) The county
7 executive shall consider and act upon an estimate and statement under
8 section 14 of this chapter at:

9 (1) the county executive's regular session immediately following
10 the filing of the estimate and statement; or

11 (2) a special session that is:

12 (A) called for the purpose of considering and acting upon the
13 estimate and statement; and

14 (B) called before the executive's regular session described in
15 subdivision (1).

16 (b) The county executive shall, for and on behalf of the county,
17 borrow sufficient money to carry out the purposes described in section
18 14 of this chapter if after consideration of the estimate and statement the
19 county executive finds the following:

20 (1) That the ~~county director~~ **department** has not ~~appealed~~
21 **certified a final determination** to borrow money under
22 IC 12-19-5. ~~or that the appeal has been denied.~~

23 (2) That the amount of money required, in addition to any money
24 already available, to defray the expenses and pay the obligations
25 of the county office in the administration of the county's children's
26 psychiatric residential treatment services for the unexpired part of
27 the fiscal year is greater than the amount of money that may be
28 advanced from the general fund of the county.

29 SECTION 47. IC 12-19-7.5-18 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18. An ordinance
31 adopted by the county fiscal body authorizing a loan under this chapter
32 must do the following:

33 (1) Authorize the issuance of the bonds of the county to evidence
34 the loan.

35 (2) Fix the following:

36 (A) The loan's maximum amount, which may **not** be less than
37 the amount shown by the estimate of the ~~county director.~~
38 **department.**

1 (B) The number of semiannual series in which the bonds are
2 payable, which may not exceed twenty (20).

3 SECTION 48. IC 12-19-7.5-33 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 33. (a) A county
5 auditor shall annually, not before January 1 and not later than March
6 31, determine the amount of any excess funds available in the county
7 children's psychiatric treatment services fund based on the following
8 formula:

9 STEP ONE: Determine the ending cash balance in the fund ~~in~~ **for**
10 the preceding fiscal year.

11 STEP TWO: Calculate one-half (**1/2**) of the actual cost of
12 providing children's psychiatric treatment services **for the**
13 **preceding fiscal year.**

14 STEP THREE: Subtract the amount determined in STEP TWO
15 from the amount determined in STEP ONE.

16 ~~(b) The county auditor shall transfer the amount determined in~~
17 ~~subsection (a) STEP THREE, if any, from the county children's~~
18 ~~psychiatric treatment services fund to the county general fund to be~~
19 ~~used to pay for the part of the care and maintenance of the inmates of~~
20 ~~the Plainfield juvenile correctional facility and the Indianapolis juvenile~~
21 ~~correctional facility that is charged back to the counties.~~

22 **(b) If the county has a debt for juvenile per diem under**
23 **IC 11-10-2-3, as determined by the budget agency, the lesser of the**
24 **amount determined in subsection (a) STEP THREE, or the actual**
25 **debt shall be paid to the state within forty-five (45) days. If the**
26 **county does not have juvenile debt, the funds remain in the**
27 **children's psychiatric treatment services fund. Funds remaining in**
28 **the children's psychiatric treatment services fund will be**
29 **considered excess and used to reduce the succeeding year's levy."**

30 Page 4, line 22, after "of" insert "**IC 31-19,**".

31 Page 4, line 22, after "IC 31-33," insert "**IC 31-34, and IC 31-40,**".

32 Page 4, between lines 26 and 27, begin a new paragraph and insert:
33 "SECTION 52. IC 31-9-2-130 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 130. "Title IV-D
35 agency" means:

36 ~~(1) the child support bureau created within the division of family~~
37 ~~and children as the single state agency to administer the child~~
38 ~~support provisions of Title IV-D of the federal Social Security Act~~

- 1 ~~(42 U.S.C. 651 through 669);~~
- 2 **(1) the department of child services; or**
- 3 (2) a designated agent of the ~~bureau~~ **department** described in
- 4 subdivision (1)."
- 5 Page 13, line 34, delete "The".
- 6 Page 13, delete lines 35 through 36.
- 7 Page 13, line 37, delete "One (1) time every six (6) months," and
- 8 insert **"Before December 1 of each year,"**.
- 9 Page 14, between lines 1 and 2, begin a new line block indented and
- 10 insert:
- 11 **"(1) Indicate the department's progress in recruiting, training,**
- 12 **and retaining case workers."**
- 13 Page 14, line 2, delete "(1)" and insert **"(2)"**.
- 14 Page 14, line 4, delete "(2)" and insert **"(3)"**.
- 15 Page 14, line 5, delete "that" and insert **"established by the**
- 16 **department."**
- 17 Page 14, delete line 6.
- 18 Page 14, line 7, delete "(3)" and insert **"(4)"**.
- 19 Page 14, line 7, delete "indication under subdivision (2) is
- 20 affirmative," and insert **"report indicates that average caseloads**
- 21 **exceed caseload standards,"**.
- 22 Page 14, line 8, delete "for making the statewide caseload" and
- 23 insert **"that indicates the steps that are being taken to reduce**
- 24 **caseloads."**
- 25 Page 14, delete lines 9 through 10.
- 26 Page 14, line 11, delete "(4)" and insert **"(5)"**.
- 27 Page 14, line 15, delete "services." and insert **"services under**
- 28 **IC 31-33.**
- 29 **(2) Providing and administering child abuse and neglect**
- 30 **prevention services.**
- 31 **(3) Providing and administering child services (as defined in**
- 32 **IC 12-19-7-1).**
- 33 **(4) Providing and administering family services (as defined in**
- 34 **IC 31-9-2-45).**
- 35 **(5) Providing family preservation services under**
- 36 **IC 12-14-25.5.**
- 37 **(6) Regulating and licensing the following under IC 12-17.4:**
- 38 **(A) Child caring institutions.**

1 **(B) Foster family homes.**

2 **(C) Group homes.**

3 **(D) Child placing agencies."**

4 Page 14, line 16, delete "(2)" and insert "(7)".

5 Page 14, line 19, delete "(3)" and insert "(8)".

6 Page 14, line 20, delete "(4)" and insert "(9)".

7 Page 14, line 21, delete "670" and insert "677".

8 Page 14, line 22, delete "(5)" and insert "(10)".

9 Page 16, between lines 9 and 10, begin a new paragraph and insert:

10 **"Sec. 10. (a) The department may establish a program to**
 11 **procure any of the services described in section 7 of this chapter**
 12 **under a procurement agreement administered by the department.**
 13 **The department may enter into procurement agreements that**
 14 **cover the delivery of one (1) or more categories of services to all of**
 15 **the counties in a region determined by the department. An**
 16 **agreement may provide for payment from state funds appropriated**
 17 **for the purpose or direct billing of services to the county receiving**
 18 **the service.**

19 **(b) If the department enters into a procurement agreement**
 20 **covering a county, the county, including the county's juvenile court,**
 21 **shall procure all services covered by the procurement agreement**
 22 **in accordance with the regional procurement agreement and the**
 23 **policies prescribed by the department. With the approval of the**
 24 **department, a county may utilize services from an alternate**
 25 **provider.**

26 **(c) The costs incurred under a procurement agreement shall be**
 27 **shared by the counties covered by the procurement agreement. The**
 28 **department shall allocate the costs of a regional procurement**
 29 **agreement among the counties covered by the agreement in**
 30 **proportion to the use of the services by each county under the**
 31 **schedule prescribed by the department. A county shall pay the**
 32 **costs incurred under a procurement agreement from the:**

33 **(1) family and children's fund; or**

34 **(2) children's psychiatric residential treatment services fund;**
 35 **as appropriate.**

36 **(d) If the department pays the costs incurred under a**
 37 **procurement contract from state funds appropriated for the**
 38 **purpose, the department shall present a claim for reimbursement**

1 **to the appropriate county auditor. The county executive shall**
 2 **review and allow the full amount of the claim in the manner**
 3 **provided in IC 36-2-6."**

4 Page 16, line 10, delete "Sec. 10." and insert "**Sec. 11.**".

5 Page 18, line 18, reset in roman "of the".

6 Page 18, line 18, after "service" insert "**county office**".

7 Page 18, line 18, after "or the" insert "**county office**".

8 Page 18, line 40, reset in roman "of the county office of family and
 9 children".

10 Page 18, line 41, after "appoint" insert ", ".

11 Page 18, line 41, reset in roman "subject to the approval of the
 12 director of the".

13 Page 18, line 42, after "children," insert "**department,**".

14 Page 19, delete lines 31 through 42.

15 Page 20, delete lines 1 through 2.

16 Page 20, line 6, delete "for the area," and insert ", ".

17 Page 48, between lines 24 and 25, begin a new paragraph and insert:

18 "SECTION 147. IC 36-2-6-4.5 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a) A county
 20 executive may adopt an ordinance allowing money to be disbursed for
 21 lawful county purposes under this section.

22 (b) Notwithstanding IC 5-11-10, with the prior written approval of
 23 the board having jurisdiction over the allowance of claims, the county
 24 auditor may make claim payments in advance of board allowance for
 25 the following kinds of expenses if the county executive has adopted an
 26 ordinance under subsection (a):

27 (1) Property or services purchased or leased from the United
 28 States government, its agencies, or its political subdivisions.

29 (2) License or permit fees.

30 (3) Insurance premiums.

31 (4) Utility payments or utility connection charges.

32 (5) General grant programs where advance funding is not
 33 prohibited and the contracting party posts sufficient security to
 34 cover the amount advanced.

35 (6) Grants of state funds authorized by statute.

36 (7) Maintenance or service agreements.

37 (8) Leases or rental agreements.

38 (9) Bond or coupon payments.

- 1 (10) Payroll.
- 2 (11) State or federal taxes.
- 3 (12) Expenses that must be paid because of emergency
- 4 circumstances.
- 5 (13) Expenses described in an ordinance.
- 6 **(14) Expenses incurred under a procurement contract under**
- 7 **IC 31-33-1.5-10.**

8 (c) Each payment of expenses under this section must be supported
9 by a fully itemized invoice or bill and certification by the county
10 auditor.

11 (d) The county executive or the county board having jurisdiction
12 over the allowance of the claim shall review and allow the claim at its
13 next regular or special meeting following the preapproved payment of
14 the expense.

15 (e) A payment of expenses under this section must be published in
16 the manner provided under section 3 of this chapter."

17 Page 48, line 26, after "JULY 1, 2005]:" insert "IC 6-1.1-18.6;".

18 Page 48, line 26, after "IC 12-17-2-5;" insert "IC 12-17-2-8;".

19 Page 48, line 27, after "IC 12-17-2-16;" insert "12-19-7-5;
20 IC 12-19-7-8; 12-19-7.5-7; IC 12-19-7.5-10;".

21 Page 49, line 12, delete "or a county office of family and children".

22 Page 49, line 15, delete "670" and insert "677".

23 Page 49, line 16, delete "and".

24 Page 49, between lines 17 and 18, begin a new line triple block
25 indented and insert:

26 **"(iv) the delivery of child services (as defined in**
27 **IC 12-19-7-1);**

28 **(v) the regulation of residential child care**
29 **establishments;**

30 **(vi) children in need of services;**

31 **(vii) children psychiatric residential treatment services**
32 **(as defined in IC 12-19-7.5-1); and**

33 **(viii) family services (as defined in IC 31-9-2-45);".**

34 Page 49, line 27, delete "and".

35 Page 49, between lines 28 and 29, begin a new line triple block
36 indented and insert:

37 **"(iv) the delivery of child;**

38 **(v) residential child care establishment;**

- 1 **(vi) children in need of;**
 2 **(vii) children psychiatric residential treatment; and**
 3 **(viii) family;"**.
 4 Page 49, line 37, delete "and".
 5 Page 49, between lines 38 and 39, begin a new line triple block
 6 indented and insert:
 7 **"(iv) the delivery of child;**
 8 **(v) residential child care establishment; and**
 9 **(vi) children in need of;**
 10 **(vii) children psychiatric residential treatment; and**
 11 **(viii) family;"**.
 12 Page 50, line 4, delete "and".
 13 Page 50, between lines 5 and 6, begin a new line double block
 14 indented and insert:
 15 **"(F) the delivery of child services;**
 16 **(G) the regulation of residential child care establishments;**
 17 **(H) children in need of services;**
 18 **(I) children psychiatric residential treatment services; and**
 19 **(J) family services;"**.
 20 Page 50, line 10, delete "and" and insert "**or**".
 21 Page 50, line 14, delete "or".
 22 Page 50, between lines 15 and 16, begin a new line triple block
 23 indented and insert:
 24 **"(iv) the delivery of child;**
 25 **(v) residential child care establishment;**
 26 **(vi) children in need of;**
 27 **(vii) children psychiatric residential treatment; and**
 28 **(viii) family;"**.
 29 Page 50, line 26, delete "office of the" and insert "**division of family**
 30 **and children"**.
 31 Page 50, line 27, delete "secretary of family and social services".
 32 Page 50, line 31, delete "and".
 33 Page 50, between lines 32 and 33, begin a new line block indented
 34 and insert:
 35 **"(6) the delivery of child services;**
 36 **(7) the regulation of residential child care establishments;**
 37 **(8) children in need of services;**
 38 **(9) children psychiatric residential treatment; and**

- 1 **(10) family services;"**.
- 2 Page 50, line 35, delete "office of the secretary of family" and insert
- 3 **"division of family and children"**.
- 4 Page 50, line 36, delete "and social services".
- 5 Page 50, line 40, delete "and".
- 6 Page 50, line 41, delete "services." and insert **"services;**
- 7 **(6) the delivery of child services;**
- 8 **(7) the regulation of residential child care establishments;**
- 9 **(8) children in need of services;**
- 10 **(9) children psychiatric residential treatment; and**
- 11 **(10) family services."**
- 12 Page 51, line 4, delete "act." and insert **"act, including the review**
- 13 **of the following cites to determine whether changes are necessary:**
- 14 **(1) IC 12-7-2.**
- 15 **(2) IC 12-13-5.**
- 16 **(3) IC 12-13-6.**
- 17 **(4) IC 12-13-7.**
- 18 **(5) IC 12-13-13.**
- 19 **(6) IC 12-13-15.**
- 20 **(7) IC 12-13-15.1.**
- 21 **(8) IC 12-17-1.**
- 22 **(9) IC 12-17-2.**
- 23 **(10) IC 12-17-3.**
- 24 **(11) IC 12-17-8.**
- 25 **(12) IC 12-17-9.**
- 26 **(13) IC 12-17-10.**
- 27 **(14) IC 12-17-11.**
- 28 **(15) IC 12-17-16.**
- 29 **(16) IC 12-17.4.**
- 30 **(17) IC 12-19-1.**
- 31 **(18) IC 12-19-2.**
- 32 **(19) IC 12-19-5.**
- 33 **(20) IC 12-19-7.**
- 34 **(21) IC 12-19-7.5.**
- 35 **(22) IC 31-19.**
- 36 **(23) IC 31-34-4.**
- 37 **(24) IC 31-34-21.**
- 38 **(25) IC 31-34-24.**

1 **(26) IC 31-39-2-13.5.**

2 **(27) IC 31-40-1.**

3 **(28) Any other statute needing to be changed as required by**
4 **this act."**

5 Page 51, line 11, delete "children" and insert "**children, except for**
6 **the powers, duties, and functions transferred to the department of**
7 **child services established by this act,"**.

8 Page 51, line 14, delete "children" and insert "**children, except as**
9 **changed by this act,"**.

10 Page 51, line 18, delete "children" and insert "**children, except for**
11 **the property and records transferred by this act to the department**
12 **of child services,"**.

13 Page 51, line 20, delete "children" and insert "**children, except for**
14 **an appropriation concerning a power, duty, or function transferred**
15 **to the department of child services under this act,"**.

16 Page 51, line 22, delete "children" and insert "**children, except for**
17 **an employee who is transferred to the department of child services**
18 **under this act,"**.

19 Page 51, line 28, after "July 1, 2005," insert "**except for a rule**
20 **concerning a power, duty, or function transferred to the**
21 **department of child services under this act,"**.

22 Page 51, delete lines 34 through 37.

23 Page 51, line 38, delete "(c)" and insert "**(b)**".

24 Page 51, between lines 38 and 39, begin a new paragraph and insert:
25 "**SECTION 153. [EFFECTIVE JULY 1, 2005] The amendments**
26 **to IC 12-19-7 and IC 12-19-7.5 by this act apply only to property**
27 **taxes first due and payable after December 31, 2005.**

28 **SECTION 154. [EFFECTIVE UPON PASSAGE] (a) As used in**
29 **this SECTION, "committee" refers to the select committee on the**
30 **reorganization of child services established by this SECTION.**

31 **(b) There is established the select committee on the**
32 **reorganization of child services. The committee shall study the**
33 **organization of child services provided in this state and consider**
34 **which is the proper agency to administer each program that has an**
35 **impact on services for children. The duties of the committee include**
36 **the following:**

37 **(1) Studying and making recommendations concerning the**
38 **means in which the department of child services and the office**

1 of the secretary of family and social services shall cooperate in
2 providing child services.

3 (2) Studying and making recommendations concerning the
4 determination of the proper agency:

5 (A) to administer specific child service programs; and

6 (b) to employ the individuals providing child services.

7 (3) Studying and making a recommendation concerning the
8 proper organization of the department of child services
9 established by this act to deliver services for children on a
10 statewide basis.

11 (4) Studying any other matter the committee determines is
12 relevant to the reorganization of child services in the state.

13 (5) Studying the efficient provision of administrative functions
14 used by more than one (1) agency providing child services.

15 (c) The committee shall consist of the following members:

16 (1) Two (2) legislators appointed by the president pro tempore
17 of the senate. Members appointed under this subdivision may
18 not be members of the same political party.

19 (2) Two (2) legislators appointed by the speaker of the house
20 of representatives. Members appointed under this subdivision
21 may not be members of the same political party.

22 (3) The secretary of family and social services.

23 (4) The director of the department of child services appointed
24 under IC 31-33-1.5-2, as added by this act.

25 (5) Three (3) directors of county offices of family and children
26 appointed as follows:

27 (A) One (1) director appointed by the secretary of family
28 and social services.

29 (B) One (1) director appointed by the director of the
30 department of child services.

31 (C) One (1) director appointed by the governor.

32 (6) One (1) guardian ad litem appointed by the governor.

33 (7) One (1) school superintendent appointed by the governor.

34 The president pro tempore of the senate shall appoint a member
35 described in subdivision (1) as chairperson of the committee.

36 (d) The committee shall operate under the policies governing
37 study committees adopted by the legislative council.

38 (e) The affirmative votes of a majority of the voting members

1 **appointed to the committee are required for the committee to take**
 2 **action on any measure, including the final report.**

3 **(f) The final report of the committee must be submitted to the**
 4 **legislative council in electronic format under IC 5-14-6 not later**
 5 **than December 1, 2005.**

6 **(g) This SECTION expires December 31, 2005."**

7 Renumber all SECTIONS consecutively.

(Reference is to SB 529 as printed February 11, 2005.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 3.

Kenley

Chairperson